

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PURCELL BRONSON,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 02-663
)	
MARTIN F. HORN, SECRETARY)	
BEARD, P.J. JONSON, J.S.)	
DICKSON, DEPUTY SECRETARY)	
LOVE, M.J. MUTCHLER, M.P.)	
TOSKI, J. DELIE, W. STICKMAN,)	
R. HRACH, E. HOWE, LT. BOVO,)	
CO. J. FALLECKER, T. COLLINS,)	
F. CRYTZER, SGT. NOVAK, M.)	
MATTHEWS, R. KESSLER, M.A.)	
KRYSEVIG, CO. DRAGON,)	
D. JONES, J.M. MORGAN, J.A.)	
WEAVERLING, CO. BAUMGARNER,)	
CO. WAGNER, CO. GEORGE, SGT.)	
HENNEY, SGT. YOHNN, PA.)	
HOFFMAN, DR. LONG, JOHN DOES,)	
R. WATSON, C.J. SIMPSON, R.)	
NILLE, M. FERSON, C. SHANE,)	
M. MASKULYAK, C.B. SCHWEITZER,)	
F. FRANK, R. BITNER, C. SCIRE,)	
T. JAMES, CAPT. YURICK, D.)	
BANEY, CHRIS MONTENARO,)	
SGT. STAFFORD, PROGRAM REVIEW)	
COMMITTEE, CAPTAIN MCCOWN,)	
LT. AVERY, MR. MATA, CO.)	
ORPEN, R. MINNICK, CO. ESTOCK,)	
CO. BOUSER, DAVE ROBERT, CO.)	
SHAFFER, CO. MORRISON, DR.)	
NOEL, MAJ. COLE, LT. BLAKEY,)	
CO. NICKSON, LT. AVERY, JOHN)	
DOE 1, JOHN DOE 2, JOHN DOE 3)	
and JOHN DOE 4, in their)	
official and private)	
capacity,)	
)	
Defendants.)	Re: Docs. 109 & 120

ORDER

AND NOW, this 3rd day of January, 2006, after the plaintiff, Purcell Bronson,


filed an action in the above-captioned case, and after a Motion to Dismiss was filed by Defendants and after a Motion for Partial Summary Judgment was submitted by plaintiff, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by plaintiff, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the action is dismissed against Martin Horn as being maliciously filed and dismissed against all remaining defendants without prejudice to file separate complaints in conformity with Fed.R.Civ.P. 20;

IT IS FURTHER ORDERED that plaintiff's partial motion for summary judgment is denied;

IT IS FURTHER ORDERED that defendants' motion to dismiss is dismissed as moot;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.; pursuant to Rule 58 of the Federal Rules of Civil Procedure.

A handwritten signature in black ink, appearing to read 'Alan N. Bloch', is written over a horizontal line.

ALAN N. BLOCH
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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